

REMARKS

In response to the above-identified Office Action, Applicants amend the application and seek reconsideration thereof. In this response, Applicants amend claims 3, 4 and 5. Applicants cancel claims 1, 2, and 6-11 without prejudice to or disclaimer of subject matter therein. Applicants add new claims 12 and 13. Accordingly, claims 3-5 and 12 and 13 are pending.

I. Objections to the Disclosure Under 37 C.F.R. 1.75(d) (1)

The Examiner object to the disclosure for failing to provide antecedent basis for the subject matter claimed in claims 1-5. The Applicants have cancelled claims 1 and 2 and amended claims 3-5 to remove reference to subject matter identified by the Examiner as lacking antecedent basis. Also, in response to the Examiner's indication that this specification includes spelling and grammatical errors, the Applicants have endeavored to correct the spelling and grammatical errors. Accordingly, reconsideration and withdrawal of the objection to the disclosure are requested.

II. Claims Rejected Under 35 U.S.C. § 112, first paragraph

Claims 1-11 stand rejected under 35 U.S.C. §112, first paragraph, because the Examiner asserts that the specification fails to enable subject matter claimed therein. Applicants have

cancelled claims 1, 2 and 6-11 and amended claims 3-5. Amended claims 3-5 no longer claim subject matter indicated by the Examiner as lacking enablement. Accordingly, reconsideration and withdrawal of the rejection of claims 3-5 based on 35 U.S.C. § 112, first paragraph are requested.

III. Claims Rejected Under 35 U.S.C. § 112, second paragraph

Claims 1-11 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim subject matter which Applicants regard as the invention.

Claims 1, 2 and 6-11 have been cancelled. Applicants have amended claims 3, 4 and 5 to clarify the subject matter claimed by the Applicant. Applicants believe that the amendments address each of the concerns of the Examiner set forth in Paper No. 4 in regard to the indefiniteness of claims 3-5. Accordingly, reconsideration and withdrawal of the indefinite rejection of claims 3-5 are requested.

IV. Claims Rejected Under 35 U.S.C. § 102

Claims 1, 2 and 6-11 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,769,292 issued to Tang, et al. (hereinafter "Tang"). These claims have been

cancelled without prejudice to or disclaim of the subject matter therein. Thus, the Examiner's objections of these claims is moot.

Claims 1-3, 5-7 and 9-11 stand rejected under 35 U.S.C. §102(a) as being anticipated by Japanese Patent No. 2001-19946. Applicants submit herewith a request for priority with a translation of the foreign priority papers thereby perfecting Applicants' claim to priority based upon these documents. Thus, the effective filing date of the present application is December 30, 2000 which predates the publication date of JP 2001-19946 of January 23, 2001. Thus, JP2001-19946 is not prior art under 102(a). Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 3 and 5 are requested.

V. Claims Rejected Under 35 U.S.C. § 103

Claims 1, 2 and 6-11 stand rejected under 35 U.S.C. §103 as being unpatentable over Tang. Applicants have cancelled claims 1, 2 and 6-11. Thus, the Examiner's rejection of these claims is moot.

VI. New Claims

The claims of the present invention including claims 3-5 have been amended to claim an organic electroluminescence device comprising an anode and a cathode and at least one organic luminescent medium layer containing a compound of the chemical

formula 8, 9, 10, 11 or 12. New claims 12 and 13 are likewise drawn to this subject matter. Thus, Applicants believe that claims 12 and 13 are allowable over the cited references for the same reasons as claims 3-5. Applicants thus believe that claims 12 and 13 are in condition for allowance.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 3-5, 11 and 12 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 12/24, 2003

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, California 90025
(310) 207-3800


Eric S. Hyman Reg. No. 30,139

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 24, 2003.


Lillian E. Rodriguez

12-28-03
December 24, 2003